

House File 281

H-1131

1 Amend House File 281 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 PLAN "THREE" COUNTY SUPERVISOR REPRESENTATION PLANS

6 Section 1. Section 331.206, subsection 2, paragraph a, Code
7 2023, is amended to read as follows:

8 a. The plan used under [subsection 1](#) shall be selected by the
9 board or by a special election as provided in [section 331.207](#).
10 A plan selected by the board shall remain in effect for at
11 least six years and shall only be changed by a special election
12 as provided in [section 331.207](#). However, a county with a
13 population of one hundred twenty-five thousand or more based on
14 the most recent federal decennial census shall use plan "three"
15 for the election of supervisors.

16 Sec. 2. Section 331.207, subsection 6, Code 2023, is amended
17 by striking the subsection.

18 Sec. 3. TRANSITION PROVISION.

19 1. Notwithstanding any provision of law to the contrary, a
20 county with a population of one hundred twenty-five thousand
21 or more based on the most recent federal decennial census that
22 does not use plan "three" for the election of supervisors, as
23 defined in section 331.206, as of the effective date of this
24 Act, shall not be required to elect supervisors using plan
25 "three" until the election for supervisors in 2024, following
26 the adoption of a representation plan drawn pursuant to section
27 331.210A, subsection 2, paragraph "f", and the requirements of
28 this section.

29 2. A county required to adopt a representation plan as
30 provided in this section shall establish a temporary county
31 redistricting commission by the later of thirty days after the
32 effective date of this Act or May 15, 2023, and shall complete
33 a plan, in conformity with the requirements of sections 331.209
34 and 331.210A no later than November 1, 2023. The plan shall
35 be submitted to the state commissioner of elections and shall

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1 become effective January 1, 2024.

2 DIVISION II

3 COUNTY SUPERVISOR VACANCIES

4 Sec. 4. Section 43.6, subsection 2, Code 2023, is amended
5 to read as follows:

6 2. When a vacancy occurs in the office of county supervisor
7 or any of the offices listed in [section 39.17](#) and more than
8 seventy days remain in the term of office following the next
9 general election, the office shall be filled for the balance
10 of the unexpired term at that general election unless the
11 vacancy has been filled by a special election called more
12 than seventy-three days before the primary election. If
13 the vacancy occurs more than seventy-three days before the
14 primary election, political party candidates for that office
15 at the next general election shall be nominated at the primary
16 election. ~~If an appointment to fill the vacancy in office is
17 made eighty-eight or more days before the primary election and
18 a petition requesting a special election has not been received
19 within fourteen days after the appointment is made, candidates
20 for the office shall be nominated at the primary election.~~

21 Sec. 5. Section 69.14A, subsection 1, Code 2023, is amended
22 by striking the subsection and inserting in lieu thereof the
23 following:

24 1. A vacancy on the board of supervisors shall be filled
25 by special election held to fill the office for the remaining
26 balance of the unexpired term.

27 a. The committee of county officers designated to fill
28 the vacancy in section 69.8 shall call for a special election
29 to fill the vacancy. The committee shall order the special
30 election at the earliest practicable date, but giving at least
31 thirty-two days' notice of the election. A special election
32 called under this section shall be held on a Tuesday and shall
33 not be held on the same day as a school election within the
34 county.

35 b. However, if a vacancy on the board of supervisors

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1 occurs after the date of the primary election and more than
2 seventy-three days before the general election, a special
3 election to fill the vacancy shall not be called by the
4 committee. If the term of office in which the vacancy exists
5 will expire more than seventy days after the general election,
6 the office shall be listed on the ballot, as "For Board of
7 Supervisors, To Fill Vacancy". The person elected at the
8 general election shall assume office as soon as a certificate
9 of election is issued and the person has qualified by taking
10 the oath of office. The person shall serve the balance of the
11 unexpired term.

12 c. If the term of office in which the vacancy exists will
13 expire within seventy days after the general election, the
14 person elected to the succeeding term shall also serve the
15 balance of the unexpired term. The person elected at the
16 general election shall assume office as soon as a certificate
17 of election is issued and the person has qualified by taking
18 the oath of office.

19 Sec. 6. Section 331.201, subsection 3, Code 2023, is amended
20 to read as follows:

21 3. The office of supervisor is an elective office ~~except~~
22 ~~that if.~~ If a vacancy occurs on the board, a successor ~~may~~
23 shall be appointed elected to the unexpired term as provided
24 in [section 69.14A](#).

25 Sec. 7. Section 331.214, subsection 2, paragraph c, Code
26 2023, is amended to read as follows:

27 c. If the board declares a vacancy under [this subsection](#) and
28 the remaining balance of the supervisor's unexpired term is two
29 and one-half years or more, a special election shall be held
30 to fill the office as provided in [section 69.14A](#), subsection
31 ~~1, paragraph "c"~~.

32 DIVISION III

33 EFFECTIVE DATE

34 Sec. 8. EFFECTIVE DATE. This Act, being deemed of immediate
35 importance, takes effect upon enactment.>

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(amending this HF 281 to CONFORM to SF 443)

1 2. Title page, by striking lines 1 and 2 and inserting
2 <An Act relating to county supervisors, concerning county
3 supervisor representation plans and county supervisor
4 vacancies, and including effective date provisions.>

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